

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CORNING JAPAN K.K.,

Plaintiff,

v.

EXPEDITORS INTERNATIONAL
OCEAN, INC.; and YANG MING
LINE,

Defendants.

C14-1629 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Defendant Expeditors International Ocean, Inc.’s motion for summary judgment, docket no. 11, is DENIED. Defendant’s challenges to the invoices, survey report, and other documents relating to damages submitted by plaintiff Corning Japan K.K. go only to the form or weight of plaintiff’s evidence, and defendant’s objections do not prevent the Court from considering plaintiff’s materials in deciding defendant’s motion. *See Nev. Dep’t of Corr. v. Greene*, 648 F.3d 1014, 1019 (9th Cir. 2011) (“At summary judgment, ‘a party does not necessarily have to produce evidence in a form that would be admissible at trial.’”); *Fraser v. Goodale*, 342 F.3d 1032, 1036 (9th Cir. 2003) (“At the summary judgment stage, we do not focus on the admissibility of the evidence’s form. We instead focus on the admissibility of its contents.”); *see also Campanelli v. Allstate Life Ins. Co.*, 93 Fed. App’x 159 (9th Cir. 2004) (holding that the district court erred in granting summary judgment because the reasons given for disregarding certain declarations went “to their weight, not their admissibility”). Having reviewed all papers filed in support of and in opposition to defendant’s motion, the Court concludes that genuine disputes of material fact preclude summary judgment. *See* Fed. R. Civ. P. 56(a).

William M. McCool
Clerk

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